

FILED
DISTRICT COURT OF GUAM
NOV 26 2003
MARY L. M. MORAN
CLERK OF COURT

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| EXHIBIT NO. | DATE | DESCRIPTION | IDENTIFIED | ADMITTED |
|----------------|----------|---|------------|----------|
| 1 | 12-12-01 | Wire Transfers (2 pp.) | | |
| 2 | 03-10-01 | Agreement (1 p.) | | |
| 3 | Undated | Letter written in Japanese on GUAM YTK CORP. letterhead signed by Tom T. Kamiyama, and English translation thereof (4 pp.) | | |
| 4 | 09-16-00 | Letter written in Japanese on GUAM YTK CORP. letterhead signed by Tom T. Kamiyama, and English translation thereof (3 pp.) | | |

Dated this 26th day of November, 2003.

VERNIER & MAHER, LLP
Attorneys for Plaintiff
KAIOH SUISAN CO., LTD.

BY:


TERENCE E. TIMBLIN, ESQ.

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CERTIFICATE OF SERVICE

I, **TERENCE E. TIMBLIN**, hereby certify that on the 26th day of November, 2003, I caused a copy of the annexed **PLAINTIFF'S EXHIBIT LIST** to be served upon Defendant, by delivering and leaving a copy of same to their attorney of record, as follows:

Phillip Torres
TEKER CIVILLE TORRES & TANG, PLLC
Suite 200, 330 Hernan Cortez Avenue
Hagåtña, Guam 96910

Dated this 26th day of November, 2003.

VERNIER & MAHER, LLP
Attorneys for Plaintiff
KAIOH SUISAN CO., LTD.

BY: _____


TERENCE E. TIMBLIN, ESQ.

**KAIOH SUISAN CO., LTD.,
Plaintiff**

vs.

**GUAM YTK CORP.,
Defendant**

DISTRICT COURT OF GUAM, CIVIL ACTION NO. 02-00021

**PLAINTIFF'S
EXHIBIT "1"**

**WIRE TRANSFERS DATED
DECEMBER 12, 2001 (2 pp.)**

10102-0000 楊所奇
SIGNATURE OF APPLICANT

| | | |
|-----------------|------------|----|
| この法人等も多に11に在る所也 | 5000000000 | |
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[illegible]

NAME: _____

東京中央区入船2丁目3番7号タカフビル3階
TEL. (03) 5548-0888

19 APPLICANT'S REF NO
20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048

FATHER'S ADDRESS

71820663

TUNA

UNION BANK OF CALIFORNIA
GUAM BRANCH
GUAM, U.S.A.

1. THEORY - STRENGTH - EFF.

仕内死面

说明 (刀工一无私) 证明

生活（力八一）發行

——《中国历史》

外田氏はポンター訪て渡西事務

**PLAINTIFF'S
EXHIBIT**

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1355 (RQJ) 1770 / 90455 (分米)

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夏島號誌 (國府內島管理G)

「多國の政及び其國情を」に於ては可也

不要，要

**KAIOH SUISAN CO., LTD.,
Plaintiff**

vs.

**GUAM YTK CORP.,
Defendant**

DISTRICT COURT OF GUAM, CIVIL ACTION NO. 02-00021

**PLAINTIFF'S
EXHIBIT "2"**

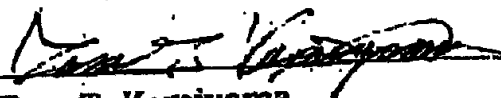
**AGREEMENT DATED
MARCH 10, 2001 (1 p.)**

AGREEMENT

Guam YTK Corporation, having principal office in Guam, U.S.A. (hereinafter "Guam YTK") and Kaioh Suisan Co., Ltd., having principal office in Tokyo, Japan (hereinafter "Kaioh") agreed as follows on 10th of March, 2001.

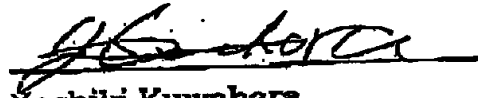
1. Kaioh financed JPY100,000,000- to Guam YTK relating to the new business of "Guam Kaioh Co., Ltd.", which is duly registered by Government of Guam on 20th of December, 2000, by the remittance of JPY50,000,000- on 5th of December, 2000 and JPY50,000,000- on 20th of January, 2001.
2. Guam YTK shall repay the above mentioned amount to Kaioh according to the schedule, which is JPY5,000,000- at the end of every month starting from ~~March, 2001~~ ^{JANUARY, 2001} until fulfillment of the whole amount. N.
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3. The interest rate shall be applied 2% per annum from the date of remittance and this shall be calculated and paid after completion of repayment of the finance.

Guam YTK Corporation

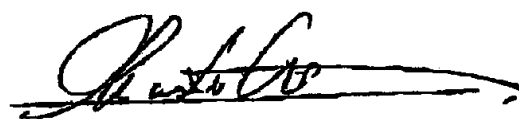

Tom T. Kamiyama
President

MAR 14, 2001

Kaioh Suisan Co., Ltd.


Yoshiaki Kuwahara
Chairman




Shunsaku Yuasa
President

**KAIOH SUISAN CO., LTD.,
Plaintiff**

vs.

**GUAM YTK CORP.,
Defendant**

DISTRICT COURT OF GUAM, CIVIL ACTION NO. 02-00021

PLAINTIFF'S EXHIBIT "3"

**UNDATED LETTER WRITTEN IN
JAPANESE ON GUAM YTK CORP.
LETTERHEAD SIGNED BY TOM T.
KAMIYAMA, AND ENGLISH
TRANSLATION (4 pp.)**



Guam Y.T.K. Corporation

General Development Industry

P.O. BOX 24134

GMF, GUAM 96921 U.S.A.

PHONE: 649-6961 • FAX: (671) 649-7520

Y.T.K. Marine Products

海王水産株式会社

桑原 芳樹 様

先般は お忙しい中 グアムまでお越しいただきありがとうございます
ました。貴殿ご視察のとおり現在グアムは日本及び台湾のまぐろ船の
日本への中継基地として発展しつつあります。私共もグアム政府よ
りやっと漁港（ホテルワーフ）の使用リース権を得てその準備に入
っております。幸運にも鳴島氏の紹介で貴海王水産、桑原会長 お
よび 湯浅社長とお会いする事ができ、又、まぐろ出荷会社を貴社の
ご協力を得て設立する事が出来、私の念願であったこの仕事もどう
にか先が見える様になりました。現在、新しくまぐろの水揚げ場所
になる ホテルワーフ に仮設の事務所と作業場を作るべく準備して
おります。今月中には出来上がる予定です。今後は海王水産と一緒に
このプロジェクトを成功させる為にがんばっていく決意です。

ホテルワーフ（新漁港）の政府との本契約の条件も詰めており、諸
条件合意の元で無事契約できると思います。

本プロジェクトをスタートする為に政府に対しての権利金および建
設準備金の用意を示す必要があり、大変勝手申して申し訳ありませ



んが、準備金として一億円を 2 回に分けてお借りしたくお願い申し上げます。この金額に対しては私が責任をもってご返済いたします。又、必要であれば、私の持っている資産を担保として提出できます。よろしくお願いいたします。

資金必要月/日

第 1 回 2000 年 12 月 5 日 5000 万円

第 2 回 2000 年 1 月 20 日 5000 万円

計 一億円

借入金返済計画

第 1 回 2000 年 3 月より

金*500* 万円を毎月末日までにご返済いたします。又、銀行借入 及び、その他業者からの権利金 が得られた時は残金を一括してご返済いたします。ぜひともご協力の程 よろしく お願い します。

Guam YTK Corporation


Tom T Kamiyama

PLAINTIFF'S
EXHIBIT

3

Guam YTK Corporation

General Development Industry

P.O. BOX 24134

GMF, GUAM 96921 U.S.A.

Phone: 649-6961 Fax: (671) 649-7520

Y.T.K. Marine Products

Kaio Suisan Co., Ltd.

Mr. Yoshiki Kuwabara

Thank you for visiting Guam recently despite your busy schedule. As per your inspection, Guam has the capability to develop into a port of transfer to Japan for Japanese and Taiwanese tuna fishing vessels. I have finally acquired the lease rights to use a fishing port (Hotel Wharf) from the government, and am presently making those preparations. I had the good fortune through Mr. Narushima of being introduced to Kaio Suisan, Chairman Kuwabara, and [the] President Mr. Yuwasa. Also, a Tuna Forwarding company was established with your company's cooperation. It seems that my heart's wish for this work is in sight. Presently the necessary preparations are being made for a temporary office and work area at the future fish off-loading site at Hotel Wharf. Completion is scheduled to be within this month. I have determined to work hard with Kaio Suisan to succeed with this project. The conditions of the contract with the Government for Hotel Wharf (new fishing port) are also being put together, and I believe that through the agreement of the various conditions that a contract can be concluded.

In order for this project to start, it is necessary to show the government funds for the [new fishing port] rights and construction. Please forgive me for a personal request, but I would like to borrow a sum of 100,000,000 in two installments. I will take responsibility to repay this amount. Furthermore, if necessary, I can provide assets that I own as collateral. I ask for your favor.

Necessary Dates for Funds

| | | |
|-----------------|------------------|----------------|
| First payment: | December 5, 2000 | 50,000,000Yen |
| Second payment: | January 20, 2001 | 50,000,000Yen |
| Total: | | 100,000,000Yen |

Plan for Repayment of Loan:

First payment: From March 2000



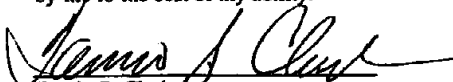
an amount of 5,000,000 will be repaid at the end of each month. Also, once a bank loan and the payment by other companies for the rights are received, the remaining balance [of the loan] will be repaid in one lump sum payment. I request for your cooperation.

Guam YTK Corporation

Tom T. Kamiyama

Certificate of Translation

I, Tamio S Clark, a duly approved translator and interpreter with the Superior Court and District Court of Guam, do hereby certify that the above document (two pages total) was translated by me to the best of my ability.


Tamio S. Clark



**KAIOH SUISAN CO., LTD.,
Plaintiff**

vs.

**GUAM YTK CORP.,
Defendant**

DISTRICT COURT OF GUAM, CIVIL ACTION NO. 02-00021

**PLAINTIFF'S
EXHIBIT "4"**

**LETTER DATED SEPTEMBER 16,
2000, WRITTEN IN JAPANESE ON
GUAM YTK CORP. LETTERHEAD
SIGNED BY TOM T. KAMIYAMA,
AND ENGLISH TRANSLATION
(3 pp.)**

Sep. 16, 2000.

attn: Mr. Sasaki
General manager,
Kai O Fisheries Co., LTD,
5-F Kouchi M.K. Building,
Tokyo Japan.

Dear: Mr. Sasaki San,

拝啓

貴社 養ひ 漁業の事と大変お忙しと存じます。
早急の甚を以て、敬申す。鳴尾社長より、
貴殿 会社 新設の賜わります。

弊社 Guam Y.T.K. Corporation は通港整備と、
運送を Guam 政府より依頼され、現在以上の
生産性代に START する予定です。

昨から、いくつかの会社 依頼、引合、が来っておりますが、
鳴尾社長との関係を重視し、貴社の海産水産
(株) と弊社 Y.T.K. Group の通港の荷扱いの、



業務を開始出来るかと考えております。

現在、Y.T.K. Group と 17 社 船社の船を含めて
8 隻 おりますが 今年 中 12 月 20 隻 程度 30 隻 程度 に
成長 予定 かと。

船 2 隻 新 船 2 隻 程度 お願い 致します。

Yours Sincerely,

Yam. T. Kameyama

Yam. Y. T. K. Corporation

C.C. Mr. TADASHI NARUSHIMA
PRESIDENT
TRADE WIND ASSOCIATES, LTD.



FAX BY GUAM Y.T.K. CORPORATION

Sep.16, 2000

Attn : Mr. Sasaki

Kaioh Suisan Co., Ltd.

Dear Mr. Sasaki,

We were introduced your company by president Narushima.

We, Guam Y.T.K. Corporation has been requested the port construction and its management by Guam government and will start consideration in order to make more dynamic operation.

Though we have received interests from several Japanese companies we would like to make business about our fish products with Kaioh Suisan considering relationship of president Narushima.

At present we are controlling 8 boats including ours and will increase by 20 to 30 fishing boats within this year.

Yours Sincerely,
Tom T. Kamiyama
Guam Y.T.K. Corporation

C.C. Mr. Tadashi Narushima

